

This is a draft and Community Development intends to refine it prior to Planning Commission review

Subsection 2-2-A of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are underlined):

2-2: DEFINITIONS

- A. For purposes of this land use ordinance, definitions are provided for the following terms. Not all of the terms are used in this land use ordinance. The inclusion of any term defining a land use does not imply that the term is a permitted or conditionally permitted use in any zone, unless specifically stated as such in the applicable zone. Any term which is defined, but not used in this land use ordinance, is included to differentiate the term from other terms which are used in this land use ordinance:

75. Known Natural Hazards Area: An area known, through historical data, maps, or agency records of Utah County, the United States Geological Survey, or the Utah Geological Survey, to have a susceptibility to the naturally occurring geologic conditions or phenomenon considered in this ordinance, which may present a potential danger to life and property.

Subsections 5-12-A & B of the Utah County Land Use Ordinance are proposed to be amended as follows (additions are underlined):

5-12: NHO NATURAL HAZARDS OVERLAY ZONE

A. DECLARATION AND LEGISLATIVE INTENT

The NHO Natural Hazards Overlay Zone (NHO Zone) includes the territory of the unincorporated area of Utah County which was identified as having a susceptibility for rockfall, debris flow, landslides, or surface fault rupture. The standards of the NHO Zone are the product of a joint program of the Utah Geologic and Mineral Survey and the US Geological Survey, which program was conducted in the five counties of the Wasatch Front including Utah County. In addition to the territory identified in the joint program, the NHO Zone includes other areas that have been identified by the County Commission as having a significant hazard, as well as those known natural hazards areas. However, not all areas susceptible to natural hazard were known or recognized at the time of adoption of the provisions of this zone, so the zone shall not be construed to be all-inclusive of such hazards.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the NHO Natural Hazards Overlay Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning and zoning set forth in Utah Code Annotated 1953, as amended.
2. To identify areas subject to geologic hazards and to reduce the risk therefrom.

3. To protect human life and health.
4. To minimize damage to public and private property and to public utilities and structures.
5. To assure that those who occupy the areas susceptible to geologic hazards assume responsibility for their actions regarding land use, construction, and grading.
6. To provide notification of areas of special hazard for rockfall, debris flow, landslide, or surface fault rupture to the public.

In order to accomplish the stated purposes and intent, the following provisions shall apply:

B. SCOPE

1. Purview

The natural hazards which are the purview of the NHO Zone are limited to: rockfall, debris flow, landslide, and surface fault rupture.

2. Extent

The provisions of this section shall apply to all areas having a susceptibility to the above-named hazards within the unincorporated area of Utah County which are depicted on the Official Zone Map of Utah County, Utah, as lying within the NHO Zone, or lying within a known natural hazard area. Such provisions shall not abrogate but shall be in addition to the requirements of the underlying zoning districts within the NHO Zone, pertaining to the property within the NHO Zone. Where the provisions of this section conflict with any other requirement, the more stringent restriction shall apply.

3. Interpretation

To determine which properties lie within the NHO Zone, the Zoning Administrator shall determine the boundaries of the zone by scaling the distances from the Utah County Zone Map. He may be aided by the Natural Hazards Overlay Map Series, including updated data from the U.S. Geological Survey (USGS) and the Utah Geological Survey. A known natural hazards area shall be established by historical data, maps, or agency records of Utah County, the United States Geological Survey, or the Utah Geological Survey. Any adversely affected party contesting the location of the zone boundary, or the identification of a known hazards area, shall comply with the procedures set forth under Title 17, Chapter 27a, of the Utah Code Annotated 1953, as amended. Such adversely affected party shall make a request to contest the location of the zone boundary, or identification of a known natural hazards area, within twenty (20) days of the date of the decision being contested.

4. Compliance

No structure or land use shall hereinafter be constructed, located, extended, converted, altered or otherwise developed without full compliance with this section.